IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 20749 of 2004

Between:

B.Venkateswarlu, s/o B.Yellaiah, aged about 35 years,

Occ: Employee, Working as Telecom Technical Assistant

at Achampet Telephone Exchange,
Achampet, Mahaboob Nagar District.

..... PETITIONER

AND

1 The Union Government of India, rep., by the Under Secretary,

Ministry of Communications & Information Technology, 20,

Ashoka Road, Sanchar Bhavan, New Delhi.
2 The Chairman & Managing Director, Bharat Sanchar Nigam Limited,
20, Ashoka Road, Sanchar Bhavan, New Delhi.
3 The Chief General Manager, Telecom, Bharat Sanchar Nigam Limited,
Andhra Pradesh, Doorsanchar Bhavan, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ declaring the inaction of the respondents in issuing the Presidential Order for the petitioner's due absorption into the service cadre of Bharath Sanchar Nigam Limited (BSNL) from Department of Telecommunication (DOT) without assigning any reason, thereby affecting the petitioner's career adversely, as being illegal, arbitrary and violative of Articles 14, 16 and 300-A of the Constitution of India.

Counsel for the Petitioner: MR.D.SESHADRI NAIDU

Counsel for the Respondent Nos.1 to 3: MR.ARAJASHEKAR REDDY (SC FOR CG)

The Court made the following:

–

–

–

ORDER:

The petitioner is working as a Telecom Technical Assistant in the 2nd respondent Corporation. He opted to be absorbed in Bharath Sanchar Nigam Limited (for short "BSNL") through the option form given by him on 06.04.2003 to the respondents 2 and 3.

2. The grievance of the petitioner is that the respondents 2 and 3 have not so far forwarded the option form for the approval of the 1st respondent. Therefore, he is being denied the promotions that are coming from time to time. Therefore, he approached this Court, through this writ petition, seeking a direction to the respondents 2 and 3 to forward the option form given by the petitioner to the 1st respondent for appropriate orders.

3. Having regard to the submissions made by the petitioner, the respondents 2 and 3 are directed to take necessary steps to forward the option form given by the petitioner to the 1st respondent for approval and to pass appropriate orders, within 4 (four) weeks from the date of receipt of a copy of this order.

4. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Under Secretary,

The Union Government of India,

Ministry of Communications & Information

Technology, 20, Ashoka Road,

Sanchar Bhavan, New Delhi

2. The Chairman & Managing Director,

Bharat Sanchar Nigam Limited, 20,

Ashoka Road, Sanchar Bhavan, New Delhi

3. The Chief General Manager, Telecom,

Bharat Sanchar Nigam Limited,

Andhra Pradesh Doorsanchar Bhavan,

Hyderabad

4. Two CD copies.